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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Austria,* Belgium,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Bulgaria,* Croatia,* Cyprus,* Estonia, France, Georgia,* Greece,* Guatemala,* Honduras,* Hungary,* Ireland, Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Montenegro, Morocco, Paraguay, Peru,* Poland,* Portugal, Republic of Moldova,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Thailand,* the former Yugoslav Republic of Macedonia, Ukraine,* Uruguay,* Viet Nam: draft resolution

29/... The right to education

The Human Rights Council,

Reaffirming its resolution 8/4 of 18 June 2008 and recalling all other Human Rights Council resolutions on the right to education, the most recent of which is resolution 26/17 of 26 June 2014, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Rights of Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Bearing in mind General Assembly resolution 69/268 of 5 March 2015 on education for democracy,

Bearing in mind also the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education,

* Non-member State of the Human Rights Council.

Welcoming the World Education Forum 2015, organized by the United Nations Educational, Scientific and Cultural Organization in collaboration with the United Nations Children's' Fund, the World Bank, the United Nations Population Fund, the United Nations Development Programme, UN-Women and the Office of the United Nations High Commissioner for Refugees, held in Incheon, Republic of Korea, from 19 to 22 May 2015, and the declaration "Education 2030: Towards inclusive and equitable quality education and lifelong learning for all", adopted at the Forum,

Deeply concerned at the ongoing problem of attacks on students, teachers, schools and universities, which impairs the realization of the right to education and causes severe and long-lasting harm to individuals and societies,

Recognizing the negative impact of conflict and crisis on the full realization of the right to education, and that more than one third of the world's 121 million school children are in conflict-affected countries, as noted in the Education For All Global Monitoring Report of the United Nations Educational, Scientific and Cultural Organization of 2015 and in the Incheon declaration;

Noting with appreciation the ongoing efforts towards strengthening protection of schools and universities against attacks, and noting the efforts that led to the Oslo Conference on Safe Schools, held on 28 and 29 May 2015;

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, despite all efforts by Governments, civil society and the international community and the tremendous progress achieved since 2000, the Education for All goals, and the education-related Millennium Development Goals, have not been globally achieved,

Recognizing that the full realization of the right to education for all is an essential condition for achieving sustainable development, and in this regard the need to ensure that the right to education is central in the context of the post-2015 development agenda,

Welcoming the proposal of the Open Working Group on Sustainable Development Goals, which included a goal of ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all,

Reiterating the importance of access to new information technologies, including the Internet, to facilitate the realization of the right to education and to promote inclusive quality education,

Welcoming the steps taken at the national level to implement the right to education, including the enactment of appropriate legislation, adjudication by national courts and the development of national indicators,

Aware of the role that communications procedures can play to promote the justiciability of the right to education,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Urges* all States to give full effect to the right to education by, inter alia, complying with their obligations to respect, protect and fulfil the right to education by all appropriate means, including by taking measures, such as:

(*a*) Putting in place a regulatory framework guided by international human rights obligations for education providers that establishes, inter alia, minimum norms and standards for the creation and operation of educational institutions;

(*b*) Expanding educational opportunities for all without discrimination, paying particular attention to girls, marginalized children and persons with disabilities, by, inter alia, recognizing the significant importance of public investment in education, to the maximum of available resources, and strengthening the engagement with communities, local actors and civil society to contribute to education as a public good;

(*c*) Ensuring that education is consistent with human rights standards and principles, including those laid down in the Universal Declaration of Human Rights and in international human rights treaties;

(*d*) Monitoring private education providers and holding accountable those whose practices have a negative impact on the enjoyment of the right to education by, inter alia, engaging with existing national human rights mechanisms, parliamentarians and civil society;

(*e*) Strengthening access to appropriate remedies and reparation for victims of violations of the right to education;

(*f*) Supporting research and awareness-raising activities to better understand the wide-ranging impact of the commercialization of education on the enjoyment of the right to education;

3. *Welcomes*:

(*a*) The work of the Special Rapporteur on the right to education, and takes note of his latest report, on protecting education from commercialization;[1]

(*b*) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(*c*) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(*d*) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the goals of the Education for All agenda and education-related Millennium Development Goals;

4. *Calls upon* all relevant stakeholders to ensure that the post-2015 development agenda fosters the universal realization of the right to education, including by establishing education targets that are specific, measurable, realistic and relevant;

5. *Reaffirms* the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to education by all appropriate means, including in particular the adoption of legislative measures, and sufficient budgetary allocations to ensure inclusive, equitable and non-discriminatory quality education, and to promote learning opportunities for all;

6. *Expresses its dismay* at the aggravation of attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizes the grave impact that such attacks have on the full realization of the right to education, in particular of women and girls, and reiterates its condemnation in the strongest terms of all such attacks;

[1] A/HRC/29/30.

7. *Urges* all States to comply with their responsibility under international law to strengthen the protection of schools and universities, as well as other educational settings, from attacks by reviewing national laws to ensure that attacks on schools and universities are criminalized, where appropriate; investigating attacks on schools and universities, and prosecuting and punishing those responsible, as appropriate; making every effort to collect reliable relevant data with respect to attacks on schools and universities; and providing assistance to victims, on a non-discriminatory basis, towards the full realization of the right to education;

8. *Recognizes* ongoing efforts and initiatives towards strengthening protection of schools and universities against attacks, and encourages States to continue to develop efforts in this regard;

9. *Encourages* all States to measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

10. *Calls upon* States to accelerate efforts to eliminate gender-based discrimination and all forms of violence in schools and other educational settings, and to realize gender equality and the right to education for all;

11. *Acknowledges* the role that communications procedures can play to promote the justiciability of the right to education, and in this regard calls upon all States that have not yet signed and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority;

12. *Encourages* the United Nations High Commissioner for Human Rights, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies, funds and programmes, within their respective mandates, to continue their efforts to promote the full realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

13. *Stresses* the importance of the contribution of national human rights institutions, civil society, including non-governmental organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

14. *Decides* to remain seized of the matter.